

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re VEECO INSTRUMENTS, INC. SECURITIES LITIGATION	X : : X X : : X	Case No.: 7:05-md-01695 (CM)(GAY)
THIS DOCUMENT RELATES TO ALL ACTIONS	: : X	

**[PROPOSED] ORDER**

Upon consideration of Lead Plaintiff's motion for modification of the Court's May 16, 2006 Protective Order IT IS HEREBY ORDERED that Lead Plaintiff's motion is GRANTED and

IT IS FURTHER ORDERED that the following are not subject to the Court's May 16, 2006 Protective Order:

1. Lead Plaintiff's trial exhibits identified in Exhibit C to the Pretrial Order.
2. Defendants' trial exhibits identified in Exhibit D to the Pretrial Order.
3. Transcripts of all deposition testimony taken in this action.
4. The preliminary and supplemental expert reports of Robert W. Berliner.
5. Lead Plaintiff's statement of contentions included in Exhibit A to the Pretrial Order.

**IT IS SO ORDERED:**

Date: \_\_\_\_\_, 2007

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Honorable Colleen McMahon  
United States District Court Judge